

CITY OF LYNN

**Regular City Council Meeting, August 22, 2017
Council President Darren P. Cyr**

Nine Councilors Present (Councilors LaPierre and Trahan absent).

Moment of Silence.

Pledge of Allegiance. Jayla Walsh led the audience in the Pledge of Allegiance.

Council President Cyr stated that Councilor LaPierre and Councilor Trahan could not be at the meeting due to a scheduled family event.

Motion made by Councilor Colucci and seconded by Councilor Walsh to accept the Meeting Minutes of June 13, 2017, June 27, 2017, July 11, 2017 and August 1, 2017.

Motion carried.

COMMUNICATIONS:

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby appointing Mr. Jeremy Smalley to the Conservation Commission. His term is effective immediately and will expire on July 14, 2019.

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Colucci and seconded by Councilor Barton to appoint Jeremy Smalley to the Conservation Commission, effective immediately and will expire on July 14, 2019.

Motion carried.

Communication from Edward W. Blake, Deputy Chief of Police:

Dear Councilor Cyr:

The Lynn Police Department has been designated by the Mayor's Office to apply for funding under the FY2017 Edward Byrne Justice Assistance Grant. This grant may be used for any law enforcement or justice initiative previously eligible for funding under the Byrne or Local Law Enforcement Block Grant Programs. We are eligible to receive match requirement for this grant. If received, these funds may be expended over a four year period. This application needs to be submitted by September 5, 2017.

We intend to use these funds as we have in previous years by allocation the funds to Lynn Juvenile Probation for communications; to Lynn Adult Probation for equipment to support their community policing activities; to Lynn Housing and Neighborhood Development to assist them in continuing their Summer Jobs Program; and the remainder to continue programs within the Police Department. Departmental programs include gang intervention and investigation, maintenance of computer equipment, hardware and software upgrades and Data-Vis, an analytical program used to assist in the operation of the police department.

This grant will help us continue to make Lynn a safer and more desirable community for all of its citizens. We are requesting approval by the Lynn City Council to apply for these funds.

Thank you for your assistance. If you need any additional information, please let me know. Sincerely, Edward W. Blake, Deputy Chief of Police

Motion made by Councilor Barton and seconded by Councilor Cahill to grant.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

PUBLIC HEARINGS:

Public Hearing on the City's Annual Action Plan, including the use of the Department of Housing and Urban Development appropriations for the Community Development Block Grant, HOME Investment Partnership Grant and the Emergency Solutions Grant:

The following appeared in Favor:

Donald Walker, Office of Economic and Community Development

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Colucci and seconded by Councilor Capano

Ordering Her Honor the Mayor, be and hereby is authorized to execute the City's Fiscal Year 2018 Action Plan, including the use of the Department of Housing and Urban Development's Fiscal Year 2017 appropriations for the Community Development Block Grant Program (\$2,303,065), HOME Program (\$620,109) and the Emergency Solutions Grant Program (\$521,444).

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Petition of Kettle Cuisine LLC for a Sign Permit at 330 Lynnway

The following appeared in Favor:

Mr. Brian, Acme Sign

Calvin Anderson, 12 Concord Street, Lynn

No one appeared in Opposition.

Motion made by Councilor Capano and seconded by Councilor Walsh to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Petition of Vicky's Restaurant at 141 Essex St to serve wine and malt beverages in an existing restaurant with hours from 7 am to 10 pm.

The following appeared in Favor:

Ms. Sonia, Vicky's Restaurant

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Cyr and seconded by Councilor Walsh to TABLE.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Petition of N.S. Holdings LLC for an Apartment House use in a business district at 559, 563, 567, and 571 Summer Street

The following appeared in Favor:

Attorney Sam Vitali

Architect for N.S. Holdings LLC

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Walsh and seconded by Councilor Colucci to grant the prayer of the Petitioner.

Motion made by Councilor Cahill and seconded by Councilor Capano to grant the prayer of the Petitioner with the stipulation that should the development as proposed on August 22, 2017 to the Lynn City Council be deemed by the Inspectional Services Department to have significantly altered or changed, it must be reviewed and approved by the Lynn City Council.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

PUBLIC HEARINGS TO BE SET DOWN FOR SEPT 26th MEETING:

-Petition of RK Dollar Discount, 70 Commercial St for a Sign Permit (**Capano**)

-Petition of A.L. Prime, 417-423 Boston St for a Sign Permit (**Walsh**)

-Petition of La Parada Restaurant, 22 Union St for an All Alcohol License with hours 9am to 1am, Sun-Sat (**Colucci**)

-Petition of Thomas McGovern, Birchwood Estates, 6 Upland Place, for residential use in the Boston St Business District (BSBD) by construction of seven dwelling units.
(Chakoutis)

-Petition of National Grid to install a regulator valve in sidewalk at the corner of Rockaway St and Essex St. **(Colucci)**

-Petition of National Grid and Verizon to install one joint pole and one pole with guy wire on Kent Road **(Lozzi)**

Motion made by Councilor Colucci and seconded by Councilor Chakoutis to set down for Public Hearings.

Motion carried.

COMMITTEES:

Report of the August 22, 2017 Committee on Public Safety and Public Health recommending the following to be accepted:

The following Constables were appointed:

Lauren Davella, 5 Rockingham St Lynn MA - **Granted**

Henry Bornstein, 5 Rockingham St Lynn MA - **Granted**

Recommends that the Lynn City Council be requested to set down a Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at **138 Williams Ave, Lynn, Massachusetts**, and after hearing, may make record of an Order adjudging it to be a nuisance to the neighborhood or dangerous and prescribing its disposition, alteration, or regulation all as authorized by Massachusetts General Laws Chapter 139, Section 1 - **Granted**

Recommends that the Lynn City Council be requested to set down a Public Hearing relative to burnt, dilapidated or dangerous building or other structure located at **12 Kenwood Terrace, Lynn, Massachusetts**, and after hearing, may make record of an Order adjudging it to be a nuisance to the neighborhood or dangerous and prescribing its disposition, alteration, or regulation all as authorized by Massachusetts General Laws Chapter 139, Section 1- **Granted**
REPORT ACCEPTED.

Report of the August 22, 2017 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS (NEW)

ACOSTA, FRANKLYN A. - 21 WITT ST. - **Granted**

ANTULANO, ALBERTO- 22 PALEOLOGOS ST. PEABODY ***Tabled 7/11- Granted***
 GARCIA, MANUEL J. – 56 HANOVER ST. - **Granted**
 MONSERRATE, JOEL- 23 BROAD ST. - **Granted**
 REYES, JONATHAN- 232 CURWIN CIRCLE, ***Tabled 7/11 -DENIED***
 RUCKER, TY- 2 WILLIAMS PL. PEABODY ***Tabled 7/11 - Granted***
 SAINT-JOOR, OBERSON- 427 WESTERN AVENUE- **Tabled**
 TEJEDA, RONY- 8 CHASE ST- **Granted**

LIVERY OPERATORS - (NEW)

MCNELLEY, KAREN L. – 46 DUNCAN TERRACE SWAMPSCOTT- **Granted**
 OLADAYIYE, ALICIA- 24 MOUNTAIN AVENUE- **Granted**
 OLADAYIYE, JOHN- 24 MOUNTAIN AVENUE- **Granted**
 PERREIRA, LORRAINE- 7 BAY STATE PEABODY (TEMP EXP. 8.22.17) - **Granted**
 SLAUGHTER, CLIFFORD E. – 30 FISKE AVE APT #3 - **Granted**
 TAYLOR, FLORENCE, 25 NELSON ST. LYNN ***Tabled 7/11 - DENIED***

AUTO REPAIR/FLAMMABLE LICENSE – NEW

106 Chestnut St. – Bodre Auto Repair ***Tabled – 7/11 –Granted with Standard Stipulations***

315 Lynnway – Orlando Auto Repairs-**Granted with Standard Stipulations**

30 DAY REVIEW - AUTO REPAIR/FLAMMABLE

407 Essex St. – Melo’s Tire and Auto Service (***told to clean up tires***) - **Granted**

60 DAY REVIEW - AUTO REPAIR/FLAMMABLE

371 Summer St. – Express Auto and Tires Repair ***Tabled 7/11/17 - Granted***

COIN OPERATED DEVICES – 30 DAY REVIEW

337 Union St. – JB’s Barber Shop – 2 Class II (***for 2nd Pool table***) – **Granted with 30/Day Review.**

COIN OPERATED DEVICES – NEW

47-49 Central Ave–Eclipse Bar & Grill “Brama Inc.”– 1 Class II Pool (***Tabled 7/11 no show***)- **Granted with Stipulations.**

EXTENDED HOUR RENEWALS – 60-90 DAY REVIEW

60	BOSTON ST MCDONALDS	DRIVE THRU 24 HOUR
65	BOSTON ST CVS PHARMACY	24 HOUR
80	BOSTON ST DUNKIN DONUTS	24 HOUR
108	BOSTON ST BURGER KING	Sun-Wed 6am-1am Thurs-Sat 6am-2am
116	BOSTON ST WENDY'S	DRIVE THRU TILL 4 A.M
122	BOSTON ST BOSTON SHELL	24 HOURS
124	BOSTON ST ACO BELL	DRIVE THRU TILL 3 AM

Motion made by Councilor Lozzi and seconded by Councilor Net to request Businesses to come back in 30 Days.

Motion carried.

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

1071 Western Ave. – Edna’s Auto Body of Lynn, Inc. - **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

47R Bennett St. – B Auto Repair- **Granted**

68 Rear Bennett St. – Estrada Auto Repair- **Granted**
 87 Bennett St. – West Lynn Auto Service- **Granted**
 180 Commercial St. – Lou’s Custom Exhaust- **Granted**
 349 Lynnway – Morgan’s Garage- **Granted**
 9 Minot St. – Western Ave. Auto Body- **Granted**
 800 Western Ave. – Henley Enterprises d/b/a/ Valvoline Instant Oil Change- **Granted**
 985 Western Ave. – MBTA Garage- **Granted**
 1071 Western Ave. – Affordable Auto Repair- **Granted**
 1071 Western Ave. – Keny Auto Repair- **Granted**
 1117R Western Ave. – Mass Towing and Repair- **Granted**

FLAMMABLE LICENSE – RENEWAL

47 Alley St. – Jim Appleyard Bonded Storage, Inc. - **Granted**
 6 Bennett St. – L-A-C Steel Fabrication- **Granted**
 22 Bennett St. – Perrotti’s Welding- **Granted**
 255 Blossom St. – Nationalgrid- **Granted**
 30 Boston St. – Home Décor- **Granted**
 152 Boston St. – Advance Auto Parts- **Granted**
 59-61/266–270 Commercial St. – McGrath Enterprises- **Granted**
 500 Lynnfield St. – NSMC Union Hospital- **Granted**
 71 Linden St. Suite 200 – C. Bain, Inc. - **Granted**
 154 Lynnway – City of Lynn Seaport Marina- **Granted**
 282 Lynnway – Uhaul Moving & Storage of Lynn- **Granted**
 453 Lynnway – EZ Landscaping, Inc. - **Granted**
 525 Lynnway – Gulf Express ESE Energy Corp. - **Granted**
 637 Lynnway – Auto Zone- **Granted**
 88 Marion St. – Demakes Enterprises, Inc. - **Granted**
 5 Stetson St.- Atlantic Ambulance Service/Cataldo Ambulance Service- **Granted**
 41 Sutton St. – D’Amici Bakery- **Granted**
 149 Walnut St. – Richdale Convenience Store- **Granted**
 2 Western Ave. – Dom’s Oil Co. - **Granted**
 1073R Western Ave. – Albert Kemperle, Inc. - **Granted**
 1117R Western Ave. – Massachusetts Recovery Bureau & Mass Towing
 And Repair- **Granted**

SIGN LICENSE-RENEWALS

60 Bennett Street, Bennett Street Tire & Glass- **Granted**
 122 Boston Street, Boston Street Shell 04037- **Granted**
 369 Boston Street, Lucky 7 Market- **Granted**
 617 Boston Street, Tony’s Lena- **Granted**
 624 Boston Street, Family Grocery Store- **Granted**
 338 Broadway, Rolly’s Tavern on the Square- **Granted**
 244 Broadway, Mino’s Roastbeef- **Granted**
 102 Central Ave., The Sign Store- **Granted**
 155 Central Ave., Jas Nutri Fit- **Granted**
 157 Central Ave., Jimenez Botanical- **Granted**

159 Central Ave., C.M. Bistro- **Granted**
 163 Central Ave., Rosalinda Hairdresser- **Granted**
 56 Central Square, White Rose Coffee House- **Granted**
 106R Chestnut St., Los V Tires- **Granted**
 160 Chestnut St., Kuky's Hair Design- **Granted**
 546 Chestnut St., Kim's Barbershop- **Granted**
 495 Eastern Ave., Nails By Tina- **Granted**
 495 Eastern Ave. Tangles- **Granted**
 59 Essex St., Osborne Home Health Care- **Granted**
 61 Essex St., Bibi Hair Studio- **Granted**
 99 Essex St., Essex Market- **Granted**
 208 Essex St., Palace Auto Music- **Granted**
 333 Essex St., Minh Sang Market, LLC- **Granted**
 420 Essex St., Nunez Barbershop- **Granted**
 602 Essex St., Tropical Enterprise- **Granted**
 608 Essex St., McKinnon Printing- **Granted**
 61A Essex St., Pizza Lovers- **Granted**
 148 Fayette St., Mike's Auto Body Repair- **Granted**
 103-105 Federal St., Hibernian's - **Granted**
 61 Franklin St. Caribe Restaurant- **Granted**
 63 Franklin St., Santiago Market- **Granted**
 145 Franklin St., Coutui Barbershop- **Granted**
 60 Granite St., Bayridge Hospital- **Granted**
 70 Granite St., ZEA III Realty Trust- **Granted**
 26 Joyce St., Full Color- **Granted**
 11 Lewis St., Hair Affair- **Granted**
 163 Lewis St., Shoreline Grill & Pizza- **Granted**
 179 Lewis St., Andrew Perkins- **Granted**
 319 Lynnway, Children and Family Dentistry and Braces of Lynn- **Granted**
 475r Lynnway, Barrero & Sons Autobody & Repair- **Granted**
 535 Lynnway, Lynnway Shell- **Granted**
 8 Market St. Asian Garden- **Granted**
 23 Market St., Del Pueblo Market- **Granted**
 112 Market St., Eastern Bank- **Granted**
 9 Minot St., West Auto Sports & Tire- **Granted**
 46 Ocean St., The Yard Sale- **Granted**
 355 Summer St., Amigos Market- **Granted**
 419 Summer St., Wals Cleaners- **Granted**
 778 Summer St., Casa Matapan- **Granted**
 95 Union St., Desi's *- **Granted**
 108 Union St., Micheal Neloms Okikuka - **Granted**
 193 Union St., B & V Jewelry- **Granted**
 235 Union St., Pherphone Food Corp. - **Granted**
 269 Union St., Lynn Community Health Center- **Granted**

335 Union St., Vecina Beauty Supplies- **Granted**
 90 Walnut St., Cher Magic Hair Salon- **Granted**
 56 Washington St., Sunshine Market- **Granted**
 350 Washington St., Rincon Macorisano- **Granted**
 465 Washington St., Panakio Adjusters Inc. - **Granted**
 510 Washington St., Russo Plumbing- **Granted**
 32 Western Ave., W. Proodian & Sons, Inc. - **Granted**
 108 Western Ave., Western Ave Market- **Granted**
 111 Western Ave., John's Roastbeef- **Granted**
 263 Western Ave., ABT Technologies- **Granted**
 471 Western Ave., Friendly Insurance- **Granted**
 532 Western Ave., Rite Spice Caribbean- **Granted**
 596 Western Ave., Lily's Beauty Salon- **Granted**
 659 Western Ave., Desi Barbershop- **Granted**
 696 Western Ave., Tony The Florist, Inc.* - **Granted**
 734 Western Ave., Evolution Wireless, Inc. - **Granted**
 813 Western Ave. V N Convenient- **Granted**
 863 Western Ave., Mekong Market- **Granted**
 877 Western Ave., Apsara Angkor Rest. - **Granted**

CANNING:

Lynn Chargers Youth Football & Cheerleading (Adults Only) – August 18, 19, and 20, 2017 - **Granted**

OTHER BUISNESS:

REPORT ACCEPTED.

Report of the August 22, 2017 Committee on Utilities recommending the following to be accepted:

Petitions by Mobilitie to attach, maintain and operate cell communication equipment on existing poles at the following locations:

Eastern Ave and Lambert St
 Western Ave and Bellaire St
 Commercial St and S. Common
 Hanson St and Lynnway
 Western Ave and Barrett St
 16 Tremont St and Market St
 22 Tracy Ave and Wass St

Motion made by Councilor Capano and seconded by Councilor Walsh to grant the prayers of the Petitioner with the stipulations that no cooling fans be used and that no noise be allowed from the equipment.

Motion carried.

Motion made by Councilor Capano and seconded by Councilor Walsh to request Verizon to again address the wires at 17 Hobson Street, Lynn, and if these wires are not removed by the September 5, 2017 City Council Meeting, no petitions will be accepted from Verizon.

Motion carried.

REPORT ACCEPTED.

Report of the August 22, 2017 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of ONE HUNDRED FIFTY EIGHT THOUSAND SEVEN HUNDRED SIXTY SIX DOLLARS AND ZERO CENTS (\$158,766.00)

From the Account of 98035-7800 Reserve \$158,766.00

To the Account of 22104-Various LPD-PR \$158,766.00

To fund unanticipated retirements that have occurred in FY18.

0700	\$ 3,513.00	87 SBB
1000	\$ 44,798.00	Vaca BB
0800	<u>\$110,455.00</u>	Longevity
	\$158,766.00	

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order transferring the sum of ONE HUNDRED FIFTY EIGHT THOUSAND SEVEN HUNDRED SIXTY SIX DOLLARS AND ZERO CENTS (\$158,766.00)

From the Account of 98035-7800 Reserve \$158,766.00

To the Account of 22104-Various LPD-PR \$158,766.00

To fund unanticipated retirements that have occurred in FY18.

0700	\$ 3,513.00	87 SBB
1000	\$ 44,798.00	Vaca BB
0800	<u>\$110,455.00</u>	Longevity
	\$158,766.00	

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Transfer the sum of FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00)

From the Account of 98035-7800 Reserve \$50,000.00
 To the Account of TBD Capital/Hood Repairs \$50,000.00
 To fund the FY2018 Feasibility Study for the Accelerated Repair Program for the purpose of replacing the roof, windows and doors at the Hood School.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order transferring the sum of FIFTY THOUSAND DOLLARS AND ZERO CENTS (50,000.00)

From the Account of 98035-7800 Reserve \$50,000.00
 To the Account of TBD Capital/Hood Repairs \$50,000.00

To fund the FY2018 Feasibility Study for the Accelerated Repair Program for the purpose of replacing the roof, windows and doors at the Hood School.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Transfer the sum of ONE HUNDRED SEVENTEEN THOUSAND EIGHT HUNDRED TWENTY NINE DOLLARS AND FOUR CENTS (\$117,829.04)

From the Account of 91177-9510 Excess WC-Exp \$117,829.04
 To the Account of 11764-1700 Workers Comp-PR \$117,829.04

To fund June 2017 bill in full.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order transferring the sum of ONE HUNDRED SEVENTEEN THOUSAND EIGHT HUNDRED TWENTY NINE DOLLARS AND FOUR CENTS (\$117,829.04)

From the Account of 91177-9510 Excess WC-Exp \$117,829.04
 To the Account of 11764-1700 Workers Comp-PR \$117,829.04

To fund June 2017 bill in full.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Transfer the sum of ONE THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$1,750.00)

From the Account of 98005-7400 Insurance-Exp \$1,750.00

To the Account of 11765-7400 Workers Comp-Exp \$1,750.00

To fund Legacy Claim fee per Contract.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order transferring the sum of ONE THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$1,750.00)

From the Account of 98005-7400 Insurance-Exp \$1,750.00

To the Account of 11765-7400 Workers Comp-Exp \$1,750.00

To fund Legacy Claim fee per Contract.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Transfer the sum of FOUR HUNDRED SEVENTY EIGHT DOLLARS AND EIGHTY SEVEN CENTS (\$478.87)

From the Account of 44045-4800F DPW/LFD-MV Exp \$478.87

To the Account of 98025-2240 Unpaid Bills of PY-LFD \$478.87

To fund unexpected expense from FY17. Monies now reside in DPW operating budget to streamline production.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order transferring the sum of FOUR HUNDRED SEVENTY EIGHT DOLLARS AND EIGHTY SEVEN CENTS (\$478.87)

From the Account of 44045-4800F DPW/LFD-MV Exp \$478.87

To the Account of 98025-2240 Unpaid Bills of PY-LFD \$478.87

To fund unexpected expense from FY17. Monies now reside in DPW operating budget to streamline production.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Transfer the sum of THREE HUNDRED NINETY DOLLARS AND FOURTEEN CENTS (\$390.14)

From the Account of 22405-5000 LFD-Med & Surg Exp \$390.14

To the Account of 98025-2240 Unpaid Bills of PY-LFD \$390.14

To fund unexpected medical expense from FY17.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order transferring the sum of THREE HUNDRED NINETY DOLLARS AND FOURTEEN CENTS (\$390.14)

From the Account of 22405-5000 LFD-Med & Surg Exp \$390.14

To the Account of 98025-2240 Unpaid Bills of PY-LFD \$390.14

To fund unexpected medical expense from FY17.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Transfer the sum of SEVEN HUNDRED TWO DOLLARS AND EIGHTY FOUR CENTS (\$702.84)

From the Account of 22405-3107 LFD-Med Exp \$702.84

To the Account of 98025-2240 Unpaid Bills of PY-LFD \$702.84

To fund unexpected medical expense from FY17.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order transferring the sum of SEVEN HUNDRED TWO DOLLARS AND EIGHTY FOUR CENTS (\$702.84)

From the Account of 22405-3107 LFD-Med Exp \$702.84

To the Account of 98025-2240 Unpaid Bills of PY-LFD \$702.84

To fund unexpected medical expense from FY17.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Transfer the sum of TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$250.00)

From the Account of 22405-6900 LFD-Exp \$250.00

To the Account of 98025-2240 Unpaid Bills of PY-LFD \$250.00

To fund unexpected expense from FY17.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order transferring the sum of TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$250.00)

From the Account of 22405-6900 LFD-Exp \$250.00

To the Account of 98025-2240 Unpaid Bills of PY-LFD \$250.00

To fund unexpected expense from FY17.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yeas and nays:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following yeas and nays:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Certify as an "Available Fund" the amount of SEVEN HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$700,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Health and Human Services (EHS) to fund a grant initiative for the FY18-19 Safe and Successful Youth Initiative Grant.

Grant Period is 09/01/17 to 06/30/19

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of SEVEN HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$700,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Health and Human Services (EHS) to fund a grant initiative for the FY18-19 Safe and Successful Youth Initiative Grant.

Grant Period is 09/01/17 to 06/30/19

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yeas and nays:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following yeas and nays:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Certify as an "Available Fund" the amount of FIVE HUNDRED NINETY SIX THOUSAND EIGHT HUNDRED EIGHTY SEVEN DOLLARS AND ZERO CENTS (\$596,887.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Support and Incentive Grant.

Grant Period 08/01/17-06/30/18

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of FIVE HUNDRED NINETY SIX THOUSAND EIGHT HUNDRED EIGHTY SEVEN DOLLARS AND ZERO CENTS (\$596,887.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Support and Incentive Grant.

Grant Period 08/01/17-06/30/18

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Certify as an "Available Fund" the amount of FIFTY FIVE THOUSAND EIGHT HUNDRED FIFTY FOUR DOLLARS AND ZERO CENTS (\$55,854.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Department Training Grant.

Grant Period 7/31/17-6/30/18

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of FIFTY FIVE THOUSAND EIGHT HUNDRED FIFTY FOUR DOLLARS AND ZERO CENTS (\$55,854.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Department Training Grant.

Grant Period 7/31/17-6/30/18

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

**Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).**

Certify as an "Available Fund" the amount of FORTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$45,000.00) as allotted to the City of Lynn Police Department by the Department of Mental Health (DMH) for the FY2018 Jail Diversion Grant.

Grant Period 7/01/17-6/30/17

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of FORTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$45,000.00) as allotted to the City of Lynn Police Department by the Department of Mental Health (DMH) for the FY2018 Jail Diversion Grant.

Grant Period 7/01/17-6/30/17

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Emergency Order was then adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Certify as an "Available Fund" the amount of FIFTY SIX THOUSAND SEVEN HUNDRED FORTY ONE DOLLARS AND ZERO CENTS (\$56,741.00) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Training Grant and EMD/Regulatory Compliance Grant.

Grant Period 08/04/17-06/30/18

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of FIFTY SIX THOUSAND SEVEN HUNDRED FORTY ONE DOLLARS AND ZERO CENTS (\$56,741.00) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Training Grant and EMD/Regulatory Compliance Grant.

Grant Period 08/04/17-06/30/18

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:
9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).
 Emergency Order was then adopted by the following ye and nay vote:
9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Certify as an "Available Fund" the amount of THIRTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$35,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) as an amendment for the FY2017 STEP Grant. Sustained Traffic Enhancement Program.

Grant Period 7/20/17-9/30/17

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of THIRTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$35,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) as an amendment for the FY2017 STEP Grant. Sustained Traffic Enhancement Program.

Grant Period 7/20/17-9/30/17

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Certify as an "Available Fund" the amount of ONE MILLION THREE HUNDRED SIXTEEN THOUSAND THREE HUNDRED NINETY NINE DOLLARS AND NINE CENTS (\$1,316,399.09) as allotted to the City of Lynn Office of Economic & Community Development by Massachusetts Emergency Management Association (CDA) for the repairs at Seaport Marina caused during the February 8-9, 2013 Blizzard.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of ONE MILLION THREE HUNDRED SIXTEEN THOUSAND THREE HUNDRED NINETY NINE DOLLARS AND NINE CENTS (\$1,316,399.09) as allotted to the City of Lynn Office of Economic & Community Development by Massachusetts Emergency Management Association (CDA) for the repairs at

Seaport Marina caused during the February 8-9, 2013 Blizzard.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Emergency Order was then adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Certify as an "Available Fund" the amount of THIRTY SIX THOUSAND SEVENTEEN DOLLARS AND ZERO CENTS (\$36,017.00) as allotted to the City of Lynn School Department by North Shore Workforce Investment Board for 2017 Machining Application and Theory Grant to be held at LVTI.

Grant Period 06/01/2017 – 08/31/2017

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of THIRTY SIX THOUSAND SEVENTEEN DOLLARS AND ZERO CENTS (\$36,017.00) as allotted to the City of Lynn School Department by North Shore Workforce Investment Board for 2017 Machining Application and Theory Grant to be held at LVTI.

Grant Period 06/01/2017 – 08/31/2017

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Emergency Order was then adopted by the following yea and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Certify as an "Available Fund" the amount of ONE HUNDRED SIXTY SEVEN THOUSAND FIVE HUNDRED FIFTY TWO DOLLARS AND ZERO CENTS (\$167,552.00) as allotted to the City of Lynn School Department by the Department of Early Education (EEC) for the 391 FY18 Inclusive Preschool Learning Environments Grant.

Grant Period 07/01/17-06/30/18

Councilor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an "Available Fund" the amount of ONE HUNDRED SIXTY SEVEN THOUSAND FIVE HUNDRED FIFTY TWO DOLLARS AND ZERO CENTS (\$167,552.00) as allotted to the City of Lynn

School Department by the Department of Early Education (EEC) for the 391 FY18 Inclusive Preschool Learning Environments Grant.

Grant Period 07/01/17-06/30/18

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

REPORT ACCEPTED.

Report of the August 22, 2017 Committee on Public Property and Parks recommending the following to be accepted:

ORDERED that the City of Lynn accept the Grant(s) of Easement(s) as set forth in a "Plan of Easement for roadway purposes over a way known as: Warren Place" prepared by Reid Land Surveyors, 365 Chatham Street, Lynn, Massachusetts, dated July 11, 2017, as set forth in Exhibit "A" attached and incorporated herein. Said Grant(s) of Easement(s) from 4 Warren Place, Easement Area "A" 1,219 +/- square feet, 8 Warren Place, Easement Area "B" 715 +/- square feet and 12 Warren Place, Easement Area "C" 941 +/- square feet are being given to the City of Lynn for nominal consideration in order to further advance and accommodate right of way adjustments along the various public ways. The acceptance of the Grant(s) of Easement(s) shall be subject to the Law Department's approval.

ORDERED that the City of Lynn accepts and affirms as a public way, located in Lynn, Essex County, Massachusetts, commonly known as Warren Place, being more specifically shown on the plan referenced above pursuant to Section 12.08.10(A) of the Municipal Code of the City of Lynn, Massachusetts and in accordance M.G.L. c.82, ss21.24.

Further ordered that the Mayor be authorized to execute any and all documents required by the Law Department to accept and effectuate the above.

Councilor Walsh attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order that the City of Lynn accept the Grant(s) of Easement(s) as set forth in a "Plan of Easement for roadway purposes over a way known as: Warren Place" prepared by Reid Land Surveyors, 365 Chatham Street, Lynn, Massachusetts, dated July 11, 2017, as set forth in Exhibit "A" attached and incorporated herein. Said Grant(s) of Easement(s) from 4 Warren Place, Easement Area "A" 1,219 +/- square feet, 8 Warren Place, Easement Area "B" 715 +/- square feet and 12 Warren Place, Easement Area "C" 941 +/- square feet are being given to the City of Lynn for nominal consideration in order to further advance and accommodate right of

way adjustments along the various public ways. The acceptance of the Grant(s) of Easement(s) shall be subject to the Law Department's approval.

ORDERED that the City of Lynn accepts and affirms as a public way, located in Lynn, Essex County, Massachusetts, commonly known as Warren Place, being more specifically shown on the plan referenced above pursuant to Section 12.08.10(A) of the Municipal Code of the City of Lynn, Massachusetts and in accordance M.G.L. c.82, ss21.24.

Further ordered that the Mayor be authorized to execute any and all documents required by the Law Department to accept and effectuate the above.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Request to grant the request from the Lynn School Department to dispose of surplus "grinders" from the Lynn Tech Machine Shop - **Granted**

Request to Redeem property by the owner located at 80 Lowell St/Lowell St Court
Motion made by Councilor Colucci and seconded by Councilor Barton to allow the prior owner to redeem the city-owned property at 80 Lowell Street with the stipulation that all taxes, fees and fines be paid within thirty days.

Councilor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to allow the prior owner to redeem the city-owned property at 80 Lowell Street with the stipulation that all taxes, fees and fines be paid within thirty days.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Emergency Order was then adopted by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahant absent).

Request to Redeem property by the owner located at 8 Garland St, Unit 3 granted with taxes to be paid within 30 days.

Motion made by Councilor Barton and seconded by Councilor Colucci to allow the former owner, Timothy J. Levangia, to redeem the city-owned property at 8

Garland Street, Unit 3 with the stipulation that all taxes, fees, and fines be paid within 30 days.

Motion carried.

Morton Hill Avenue (parcel ID 106413013) Bid awarded for \$4,300.00

Motion made by Councilor Colucci and seconded by Councilor Barton to award the city-owned property – Morton Hill Avenue, Parcel I.D. 106413013, to Scott A. and Louise M. Cyr in the amount of \$4,300.00.

Motion carried.

Motion made by Councilor Barton and seconded by Councilor Chakoutis to Reconsider and Reject the vote to accept Neighborhood Development Associates' bid to purchase the city-owned property at 48 Saunders Road and request all Bidders be allowed to submit proposed house plans for 48 Saunders Road at the next scheduled Public Property and Parks Committee Meeting.
Motion carried.

Motion made by Councilor Barton and seconded by Councilor Colucci to place out to bid the following city-owned properties that were rejected: 465 Essex Street, Unit 2; 21R Michigan Avenue; and 13 Raddin Grove Avenue.

Motion carried.

REPORT ACCEPTED.

Report of the August 22, 2017 Committee on Ordinance and Rules recommending the following to be accepted:

Motion to set down a Public Hearing regarding a proposed Zone Ordinance change for the former Marshall Middle School neighborhood. - **Granted**

Motion to set down a Public Hearing regarding a proposed Ordinance change to the Door to Door Solicitation Ordinance. - **Granted**

Motion to set down a Public Hearing regarding a proposed Ordinance requiring applicants for Permits and Licenses to pay all advertising mailing costs in addition to the fees established by the respective Department, Board, Commission, and/or Officer; and Other Business. - **Granted**

REPORT ACCEPTED.

NEW BUSINESS:

Motion made by Councilor Chakoutis and seconded by Councilor Capano to amend the Special Permit 3-11 Mt. Vernon St to allow change in hours of operation for Food Trucks on this site to 7:00 AM to 9:00 PM - 7 days a week.

Motion carried by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Motion made by Councilor Capano and seconded by Councilor Colucci to remove from the Table and Grant the Order relative to a proposed change in the name of a portion of Gayron Way to Pine Hill Terrace.

The City Clerk read a correspondence from the Planning Board voting in Favor.

Motion carried by the following ye and nay vote:

9 YES 0 NO (Councilor LaPierre and Councilor Trahan absent).

Motion made by Councilor Capano and seconded by Councilor Walsh to request Verizon to again address the wires at 17 Hobson Street, Lynn and if these wires are not removed by the September 5, 2017 City Council Meeting, no petitions will be accepted from Verizon

.

Motion made by Councilor Colucci and seconded by Councilor Cahill to adjourn.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK